



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants: Aizawa et al. Art Unit: 1648
Application No.: 09/830,019 Examiner: E.M. Le
Filing Date: September 21, 2001 Conf. No.: 9316
Title: VACCINE PREPARATIONS CONTAINING ATTENUATED TOXIN

Mail Stop RCE

Commissioner for Patents
P.O. Box 1450
Arlington, VA 22313-1450

PRELIMINARY AMENDMENT

Sir:

Responsive to the Advisory Action mailed July 13, 2005 and to the Notice of Appeal filed June 24, 2005, a Request for Continued Examination is filed herein. Please consider the following amendments and remarks prior to examination of the application pursuant to the Request for Continued Examination.

Amendments to the Claims are reflected in the listing of claims which begins on page two of this paper.

Remarks/Arguments begin on page 3 of this paper.

01/26/2006 HGUTEM1 00000010 09830019

02 FC:1255 2160.00 OP

01/26/2006 HGUTEM1 00000010 09830019

03 FC:1806 180.00 OP

CERTIFICATE OF MAILING BY "EXPRESS MAIL"

"EXPRESS MAIL" LABEL NUMBER: EV 792 027 434 US

DATE OF DEPOSIT: January 23, 2006

I HEREBY CERTIFY THAT THIS PAPER OR FEE IS BEING DEPOSITED WITH THE UNITED STATES POSTAL SERVICE "EXPRESS MAIL POST OFFICE TO ADDRESSEE" SERVICE UNDER 37 CFR 1.10 ON THE DATE INDICATED ABOVE AND IS ADDRESSED TO: MAIL STOP RCE, COMMISSIONER FOR PATENTS, P.O. BOX 1450, ALEXANDRIA, VA 22313-1450.

TRUDY GEROVSKE
(TYPED OR PRINTED NAME OF PERSON MAILING PAPER)

Trudy Gerovske
(SIGNATURE OF PERSON MAILING PAPER OR FEE)